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Counsel for the Debtors

E-filed on July 15, 2011

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

CASE NO.: BK-N-11-50606-BTB  
Chapter 12

MICHAEL GEORG/E ALVES and  
ELIZABETH MEIRINHO ALVES, dba  
ALVES GOAT DAIRY

**EX PARTE MOTION AND  
STIPULATION TO CONTINUE  
PLAN CONFIRMATION HEARING**

Proposed Hearing Date: Sept. 1, 2011  
Proposed Hearing Time: 2:30 p.m.  
Estimated time: 1 hour

Existing Hearing Date: Aug. 12, 2011  
Existing Hearing Time: 2:00 p.m.

Debtors

\_\_\_\_\_  
MICHAEL GEORGE ALVES and ELIZABETH MEIRINHO ALVES, husband and wife, ("Debtors"), by counsel, move for a 20 day continuance of the plan confirmation hearing date in this case, now set for August 12, 2011 at 2 pm. The requested new hearing date and time is September 1, 2011 at 2:30 pm.

Debtors' Chapter 12 Plan, filed May 21, 2011, was originally set for hearing on July 7, 2011 at 10:30. At the outset of the July 7 hearing, Debtors requested that the confirmation hearing be set out to August 12, 2011 at 2:00 pm. No opposition was made and the request was granted upon cause shown. Debtors now seek an additional brief continuance of the confirmation hearing for the following reasons:

1. On July 6, 2011, the Trustee filed his Response to the Debtors' plan in which he

1 raised issues concerning Debtor's liquidation valuation, disposable income and feasibility. In the  
 2 course of their attempts to comply with the Trustee's directions, Debtors have come to realize  
 3 that they need the assistance of an agricultural expert, and are proposing to employ Bob Fletcher,  
 4 Ph.D. to assist them work up and file the information requested by the Trustee, See Declaration  
 5 of Mike Alves, filed separately herewith.  
 6

7 2. The price of corn, feed, fuel, diesel and other commodities has grown rapidly these  
 8 past 4 months, as a result of which the schedules and exhibits filed with Debtors' original Plan  
 9 are in need of review and amendment. See Declaration of Mike Alves, filed separately herewith.  
 10

11 Debtors do not know of any prejudice which any creditor will suffer by reason of this  
 12 requested continuance. The relief sought is authorized under Title 11 Section 1224 of the  
 13 Fed.R.Bank.Procedure. As set forth in the Declaration of John White, filed herewith, the Trustee  
 14 has no objection to this continuance request, and, by his signature below, Seth Adams, Esq.  
 15 counsel for Aurora Loan Services (the only creditor to appear so far), consents to the continued  
 16 September 1st, 2:30 p.m. hearing date.  
 17

18 A copy of the proposed Order Approving Ex-Parte Motion and Stipulation to Continue  
 19 Plan Confirmation Hearing is attached.  
 20

21 Dated July 15, 2011.

22 WHITE LAW CHARTERED

23 By:  John White, Esq.

I consent to the above-referenced continued hearing date:

24 /s/ Seth Adams, Esq.

Seth Adams, Esq.

25 On behalf of McCarthy & Holthus, counsel  
 26 for Aurora Loan Services

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served a true and correct copy of the EX-PARTE MOTION AND STIPULATION TO CONTINUE PLAN CONFIRMATION HEARING, and the related Declarations of John White and Michael Alves, in the following manner:

1. By way of the Court's ECF System to all interested parties on July 15, 2011, at their respective e-mail addresses as shown below:

M Nelson Enmark at [nenmark.trustee@gmail.com](mailto:nenmark.trustee@gmail.com)

Amy N. Tirre on behalf of California AG Commodities at [amy@amytirrelaw.com](mailto:amy@amytirrelaw.com)

2. By depositing a copy of the same in the United States Postal Office on July 15, 2011, addressed to the parties described below:

Aurora Loan Services  
2617 College Park  
Scottsbluff, NE 69563-1706

Aurora Loan Services,  
% Seth Adams, Esq.  
[sadams@McCarthyHolthus.com](mailto:sadams@McCarthyHolthus.com)  
McCarthy & Holthus, LLP  
200 S. Virginia St., 8th Flr.  
Reno, NV 89501

Les and Darlene Borges  
255 Jersey Lane  
Fernley, NV 89408

PNC Bank (Heloc)  
P.O. Box 94982  
Cleveland, OH 44101

PNC Bank  
% Doreen Arra, Bankruptcy Department,  
[doreen.arra@pncbank.com](mailto:doreen.arra@pncbank.com)

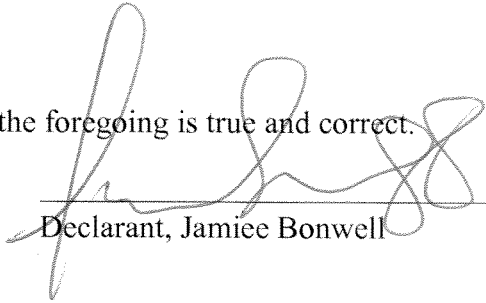
Dennis L. Hay, Esq.  
Law Office of Dennis L. Hay, Esq.  
18780 East Highway 88, P.O. Box 745  
Clements, CA 95227

Stewart & Jasper Marketing, Inc.

1 Attention : Ms. Linda Wortman or the Officer-in-Charge  
2 3500 Shiells Road  
3 Newman, CA 95360

4 I declare under penalty and perjury that the foregoing is true and correct.

5 Signed on: July 15, 2011

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28 Declarant, Jamiee Bonwell

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 Counsel for the Debtors

UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF NEVADA

|  |   |                            |
|--|---|----------------------------|
| IN RE:                                     | ) | Case No: BK-N-11-50606-btb |
|  | ) | Chapter 12                 |
| Michael G. Alves & Elizabeth M. Alves, dba | ) |                            |
| Alves Goat Dairy                           | ) | ORDER APPROVING EX-PARTE   |
|  | ) | MOTION AND STIPULATION TO  |
| Debtors                                    | ) | CONTINUE PLAN CONFIRMATION |
| _____ /                                    | ) | HEARING                    |

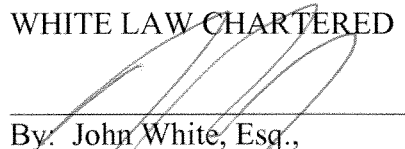
Pursuant to Title 11 Section 1224 of the Fed.R.Bank.Procedure, and stipulation of  
 counsel, and it appearing that good cause exists;

IT IS HEREBY ORDERED that the Chapter 12 Plan Confirmation Hearing scheduled  
 for August 12, 2011 at 2:00 p.m., which hearing was continued from July 7, 2011 at 10:30 a.m.,  
 is hereby continued to September 1, 2011 at 10:30 a.m..

IT IS SO ORDERED.

Submitted by:

WHITE LAW CHARTERED

By:   
 John White, Esq.,  
 Attorney for the Debtors

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